

ALLEY VACATION 7/19/76
Between Zenith & York Avenues and
Between W. 56th & W. 57th Streets

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF COMPLETION OF PROCEEDINGS
ON ALLEY VACATION IN THE CITY OF EDINA,
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on July 19, 1976, adopted a Resolution Vacating Alley, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said alley vacation be made, which resolution ordered the vacation of the following described alley, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

Alley between Zenith and York Avenues and between
W. 56th and W. 57th Streets (being the alley in Block 2, Harriet
Lawn, Lots 1 thru 12, and Block 4, "Brookline Addition", Lots 1
thru 4)

The time of completion of proceedings and the effective date of said vacation is July 19, 1976.

Said vacation did not affect, and there was continued, reserved and retained by the said resolution ordering the vacation, the following existing easements and authority in, on and under the above vacated area:

(a) The authority of Northern States Power to reserve easement rights located on the East one-half (7 feet) of vacated alley lying West of and adjoining Lots 1 thru 6, inclusive, Block 2, Harriet Lawn Addition, and Lots 1 and 2, Block 4, Brookline Addition, granting the authority of Northern States Power Company to enter upon the above vacated area to maintain, repair, replace, remove, or otherwise attend to, all of the poles, pipes, mains and lines for Northern States Power Company now in, on or under the above vacated area; and

(b) The authority of Northwestern Bell Telephone Company to reserve easement rights located on the East one-half (7 feet) of vacated alley lying West of and adjoining Lots 1 thru 6, inclusive, Block 2, Harriet Lawn Addition, and Lots 1 and 2, Block 4, Brookline Addition, granting the authority of Northwestern Bell Telephone Company to enter upon the above vacated area to maintain, repair, replace, remove, or otherwise attend to, all of the poles, pipes, mains and lines for Northwestern Bell Telephone Company now in, on or under the above vacated area.

Dated this 28th day of July, 1976.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

Florence B. Hallberg
City Clerk

May 12, 1980

Mr. Robert B. Fering
Hiese & Co., Ltd.
2022 IDS Center
Minneapolis, MN 55402

Dear Mr. Fering:

Enclosed as you requested is a certified copy of the resolution vacating the alley between Zenith and York Avenues and between W. 56th Street and W. 57th Street, along with a Notice of Completion of Proceedings.

Yours very truly,

City Clerk

enclosures

WIESE AND COX, LTD.

ATTORNEYS AT LAW

2022 IDS CENTER

MINNEAPOLIS, MINNESOTA 55402

TELEPHONE (612) 339-7581

SUBURBAN OFFICE

7000 57TH AVENUE NORTH, SUITE 108

MINNEAPOLIS, MINNESOTA 55428

(612) 533-0147

DONALD E. WIESE
HOWARD S. COX
PAUL G. NEIMANN

VERNON J. VANDER WEIDE
ROY B. STROMME
RICHARD J. JOHNSON
ROBERT F. STRAUSS
LOUIS L. AINSWORTH
ROBERT J. LUKES
DAVID P. JENDRZEJEK
ROBERT B. FERGING
GEORGE T. CHRESAND
CURTIS D. SMITH

May 7, 1980

FILE NO. _____

City Clerk
City of Edina
4801 West 50th Street
Edina, Minnesota 55424

RE: 5628 YORK AVENUE SOUTH, LOT 2, BLOCK 4, "BROOKLINE
ADDITION"

To Whom It May Concern:

Enclosed is our check in the amount of \$1.50 for a certified copy of the Resolution and/or Ordinance regarding the vacation of the alley adjacent to the above real estate.

Thank you for your help.

Sincerely,

WIESE AND COX, LTD.



Robert B. Fering

RBF:mrs
Encl.

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF COMPLETION OF PROCEEDINGS
ON ALLEY VACATION IN THE CITY OF EDINA,
HENNEPIN COUNTY, MINNESOTA

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Alley between Zenith and York Avenues and between
W. 56th and W. 57th Streets (being the alley in Block 2, Harriet
Lawn, Lots 1 thru 12, and Block 4, "Brookline Addition", Lots 1
thru 4)

The time of completion of proceedings and the effective date of said vacation is July 19, 1976.

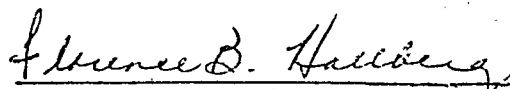
Said vacation did not affect, and there was continued, reserved and retained by the said resolution ordering the vacation, the following existing easements and authority in, on and under the above vacated area:

(a) The authority of Northern States Power to reserve easement rights located on the East one-half (7 feet) of vacated alley lying West of and adjoining Lots 1 thru 6, inclusive, Block 2, Harriet Lawn Addition, and Lots 1 and 2, Block 4, Brookline Addition, granting the authority of Northern States Power Company to enter upon the above vacated area to maintain, repair, replace, remove, or otherwise attend to, all of the poles, pipes, mains and lines for Northern States Power Company now in, on or under the above vacated area; and

(b) The authority of Northwestern Bell Telephone Company to reserve easement rights located on the East one-half (7 feet) of vacated alley lying West of and adjoining Lots 1 thru 6, inclusive, Block 2, Harriet Lawn Addition, and Lots 1 and 2, Block 4, Brookline Addition, granting the authority of Northwestern Bell Telephone Company to enter upon the above vacated area to maintain, repair, replace, remove, or otherwise attend to, all of the poles, pipes, mains and lines for Northwestern Bell Telephone Company now in, on or under the above vacated area.

Dated this 28th day of July, 1976.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA


Florence B. Hallberg
City Clerk

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned, being the duly qualified and acting City Clerk of the City of Edina, Minnesota, do hereby certify that I have compared the attached and foregoing extract of minutes with the original minutes on file and of record in my office, and that the same is a full, true, and correct transcript of the minutes of a meeting of the City Council of said City duly called and held on the date therein indicated as far as such minutes relate to the vacation of the alley between Zenith and York Avenues and between W. 56th and W. 57th Streets (being the alley in Block 2, Harriet Lawn, Lots 1 thru 12, and Block 4 "Brookline Addition", Lots 1 thru 4) WITNESS my hand and seal of said City this 12th day of May, 19 80.

Florence D. Beebe
City Clerk

"(e) On or before September 15 of each year, the Clerk shall prepare an assessment roll assessing against each separate lot or parcel of land within the 50th & France Commercial Area all costs of such work charged against such lots or parcels and unpaid as of September 10 of that year. The Council thereupon shall examine such assessment roll submitted by the City Clerk and, if satisfactory, shall call a public hearing and levy special assessments for such work in accordance with Minnesota Statutes, Section 429.061. All such special assessments shall be payable in a single installment, or in up to ten equal annual installments, if the Council by resolution so provides, with interest thereon at the rate fixed in the resolution approving the special assessments, but not to exceed the maximum interest rate allowed by law.

Sec. 2. This ordinance shall be in full force and effect immediately upon its passage and publication.

IMPROVEMENTS NOS. P-BA-220, P-S-19, P-TS-1 AND P-ST.S-151 CONTINUED. As recommended by Mr. Dunn, Councilman Shaw's motion continuing Improvements Nos. P-BA-220, P-S-19, P-TS-1 and P-ST.S-151 to August 16, 1976, was seconded by Councilman Courtney.

Ayes: Courtney, Richards, Schmidt, Shaw, Van Valkenburg

Nays: None

Motion carried.

ORDINANCE NO. 811-A78 GRANTED FIRST READING. Affidavits of Notice were presented by Clerk, approved as to form and ordered placed on file. Mr. Luce explained that this hearing has been called upon the request of the H.R.A. as a part of the purchase agreement and trade with Brimar Corporation for the Lunds' parking lot which is located at the Southeast corner of Halifax Ave. and W. 50th Street. He clarified that the existing zoning of C-2 and C-4 are not appropriate as a part of the overall plan for the area. No objections being heard, Councilwoman Schmidt offered Ordinance No. 811-A78 for First Reading as follows:

ORDINANCE NO. 811-A78

AN ORDINANCE AMENDING THE ZONING ORDINANCE (NO. 811)
BY ADDING TO THE AUTOMOBILE PARKING DISTRICT

THE CITY COUNCIL OF EDINA, MINNESOTA, ORDAINS:

Section 1. Paragraph 1 of Section 6 of Ordinance No. 811 of the City is amended by adding the following thereto:

"The extent of the Automobile Parking District is enlarged by the addition of the following properties:

That part of Lots 42 and 43, Auditor's Subdivision Number 172, Hennepin County, Minnesota, described as follows: Commencing at a point in the North line of the East 60 feet of the South 189.5 feet of said Lot 43, which point is 56.77 feet West of the East line of said Lot 43; thence 11.78 feet along a straight line produced Southerly to a point in the South line of said Lot 43; a distance of 53.67 feet Westerly of the Southeast corner of said Lot 43; thence Westerly, deflecting to the right at an angle of 90 degrees 51 minutes 08 seconds, a distance of 38.42 feet of the actual point of beginning of the tract of land to be described; thence continuing Westerly along the same line to an intersection with a line parallel with and 9.36 feet East of the West line of said Lot 42; thence Northerly along said parallel line to a point 156.83 feet South of the North line of said Lot 42, which point is a point of curve to the left with a radius of 353.33 feet; thence Northwesterly along said curve, a distance of 81.5 feet to the West line of said Lot 42; thence Northerly 76.11 feet to the Northwest corner of said Lot 42; thence East along the North lines of said Lots 42 and 43, a distance of 211.07 feet; thence Southerly, a distance of 178.53 feet, to the point of beginning."

Sec. 2. This ordinance shall be in full force and effect upon its passage and publication.

ALLEY VACATION APPROVED BETWEEN ZENITH AND YORK AVENUES AND W. 56TH AND W. 57TH STREETS. Affidavits of Notice were presented by Clerk and ordered placed on file. Mr. Dunn presented the petition of residents abutting the alley located between Zenith and York Avenues and W. 56th and W. 57th Streets requesting vacation of the alley, advising that utility easements would need to be reserved. Mr. Hyde advised an unidentified lady in the audience that half the width of the alley would revert to each abutting lot. Mr. and Mrs. Earl Schwartz, 5629 Zenith Ave., spoke in favor of the vacation. No further comments being heard, Councilman Shaw offered the following resolution and moved its adoption:

RESOLUTION VACATING ALLEY

BETWEEN ZENITH AND YORK AVENUES AND

BETWEEN W. 56TH AND W. 57TH STREETS

WHEREAS, a resolution of the City Council, adopted the 21st day of June, 1976,

fixed a date for a public hearing on a proposed vacation of the alley between Zenith and York Avenues and between W. 56th and W. 57th Streets; and WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 19th day of July, 1976; at which time all persons desiring to be heard were given an opportunity to be heard thereon; and WHEREAS, the Council deems it to be in the best interest of the City and of the public that said alley vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation or municipality owning or controlling the electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the alley between Zenith and York Avenues and between W. 56th and W. 57th Streets be and is hereby vacated effective as of July 19, 1976; PROVIDED, however, that after due consideration, the Council has determined and hereby specifies that the foregoing vacation shall not affect, and there is hereby continued, reserved and retained, the following existing easements and authority in, on and under the above vacated area:

The authority of the Northern States Power Company and Northwestern Bell Telephone Company to enter upon the above vacated area to maintain, repair, replace, remove, or otherwise attend to, all of the poles, pipes, mains and lines for electrical and telephone services now in, on or under the above vacated area; and

BE IT FURTHER RESOLVED that the Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the Register of Deeds, in accordance with Minnesota Statutes, Section 412.851.

Motion for adoption of the resolution was seconded by Councilman Courtney.

Rollcall:

Ayes: Courtney, Richards, Schmidt, Shaw, Van Valkenburg

Nays: None

Resolution adopted.

RICHARD C. SMITH LOT COVERAGE VARIANCE GRANTED. Mr. Sand recalled that the appeal of Mr. and Mrs. Richard Smith to the decision of the Board of Appeals and Adjustments denying a 5.6% lot coverage variance for construction of a garage on Lot 22, Block 3, Country Club District, Fairway Section (4519 Bruce Ave.) had been continued from the Council Meeting of June 21, 1976. No comments were heard from the audience. Councilwoman Schmidt then moved that the variance be granted, inasmuch as she believed that the garage would be an improvement to the neighborhood and because the view of Mr. J. E. Loeffler, 4518 Arden Ave., would be spoiled even if the variance is not granted. Motion was seconded by Councilman Richards.

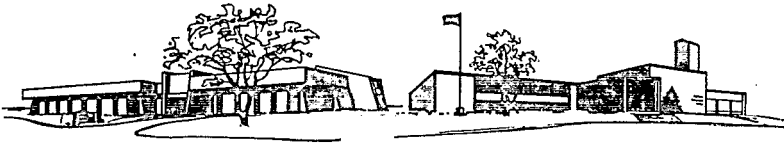
Ayes: Courtney, Richards, Schmidt, Van Valkenburg

Nays: None

Abstaining: Shaw (having served on the Board of Appeals and Adjustments)

FOUNTAINWOODS APARTMENTS (FIRST WISCONSIN NATIONAL BANK) APPEAL OF BOARD OF APPEALS AND RECOMMENDATIONS DECISION CONTINUED. Affidavits of Notice were presented by Clerk, approved as to form and ordered placed on file. Mr. Sand presented the appeal of First Wisconsin National Bank which has assumed ownership of the Fountainwoods Apartment project from ViewCon, Inc., for permission to maintain a single family dwelling unit structure in the R-4 Multiple Residence District. He recalled that a temporary two-year variance had been issued so that a freestanding rental office and model apartment could be constructed on the site which building was to have been removed by May 3, 1974. Mr. Sand said that the Board of Appeals and Adjustments had denied the variance on the grounds that the building was designed as a temporary sales office and that it had no garage. Mr. Arthur L. Doten of the office of Faegre & Benson, representing First Wisconsin National Bank, said that the structure has always been considered a model apartment and not a "sales office". He showed snapshots of the building in question as it fits into the landscaping of Fountainwoods, and said that it is a permanent structure with a block foundation and does not detract from surrounding apartments. He contended that First Wisconsin had been unaware that this had been considered a temporary building at the time they acquired Fountainwood and that they would suffer a considerable financial loss if forced to remove the building which had been appraised at a replacement cost of \$30,000. Mr. Doten said for the record that First Wisconsin does not feel that any variance is necessary because 1) Court decisions have indicated that any

EEB784



City of Edina

4801 WEST FIFTIETH STREET • EDINA, MINNESOTA 55424

927-8861

July 28, 1976

Mr. Thomas S. Erickson
Dorsey, Marquart, Windhorst et al
2400 First National Bank Bldg.
Minneapolis, MN 55402

Dear Mr. Erickson:

Enclosed herewith are two copies of "Completion of Proceedings on Alley Vacation in the City of Edina" for the alley between Zenith and York Avenues and between W. 56th and W. 57th Streets.

Will you please see that this document is filed?

Yours very truly,

City Clerk

cc: Mr. W. A. Parlow - N. W. Bell Telephone Company
Mr. William Schramm - Minnesota Gas Company
Mr. Ray Steffens - Northern States Power Company
Mr. Robert A. Sinclair - Northern States Power Company

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF COMPLETION OF PROCEEDINGS
ON ALLEY VACATION IN THE CITY OF EDINA,
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on June 21, 1976, adopted a Resolution Vacating Alley, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said alley vacation be made, which resolution ordered the vacation of the following described alley, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

Alley between Zenith and York Avenues and between
W. 56th and W. 57th Streets

The time of completion of proceedings and the effective date of said vacation is July 19, 1976.

Said vacation did not affect, and there was continued, reserved and retained by the said resolution ordering the vacation, the following existing easements and authority in, on and under the above vacated area:

(a) The authority of Northern States Power to reserve easement rights located on the East one-half (7 feet) of vacated alley lying West of and adjoining Lots 1 thru 6, inclusive, Block 2, Harriet Lawn Addition, and Lots 1 and 2, Block 4, Brookline Addition, granting the authority of Northern States Power Company to enter upon the above vacated area to maintain, repair, replace, remove, or otherwise attend to, all of the poles, pipes, mains and lines for Northern States Power Company now in, on or under the above vacated area; and

(b) The authority of Northwestern Bell Telephone Company to reserve easement rights located on the East one-half (7 feet) of vacated alley lying West of and adjoining Lots 1 thru 6, inclusive, Block 2, Harriet Lawn Addition, and Lots 1 and 2, Block 4, Brookline Addition, granting the authority of Northwestern Bell Telephone Company to enter upon the above vacated area to maintain, repair, replace, remove, or otherwise attend to, all of the poles, pipes, mains and lines for Northwestern Bell Telephone Company now in, on or under the above vacated area.

Dated this 28th day of July, 1976.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

Florence B. Hallberg
Florence B. Hallberg
City Clerk

August 2, 1976

To:

Mr. Ray Steffens
Normandale Division, Northern States Power Co.
5309 W. 70th St.
Edina, MN 55435

Mr. Robert A. Sinclair
Northern States Power Customer Service Center
1518 Chestnut St.
Minneapolis, MN 55403

Mr. William Schramm
Minnesota Gas Company
739 Marquette Ave.
Minneapolis, MN 55402

Mr. W. A. Parlow
Northwestern Bell Telephone Company
5532 County Road 18 S.
Hopkins, MN 55343

Enclosed herewith is a revised "Notice of Completion of Proceedings on Alley Vacation" which has been recommended by the City Attorney for the alley vacation between Zenith and York Avenues and between W. 56th and W. 57th Street.

This is the document which will be placed on record with Hennepin County.

Yours very truly,

City Clerk

cc: Mr. Thomas S. Erickson

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF COMPLETION OF PROCEEDINGS
ON ALLEY VACATION IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

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Alley between Zenith and York Avenues and between
W. 56th and W. 57th Streets

The time of completion of proceedings and the effective date of said vacation is July 19, 1976.

Said vacation did not affect, and there was continued, reserved and retained by the said resolution ordering the vacation, the authority of the Northern States Power Company and Northwestern Bell Telephone Company to enter upon the above vacated area to maintain, repair, replace, remove, or otherwise attend to, all of the poles, pipes, mains and lines for electrical and telephone services now in, on or under the above vacated area;

DATED this 30th day of July, 1976.

BY ORDER OF THE CITY COUNCIL
CITY OF EDINA

Florence B. Hallberg
City Clerk

July 28, 1976

Mr. Thomas S. Erickson
Dorsey, Marquart, Windhorst et al
2400 First National Bank Bldg.
Minneapolis, MN 55402

Dear Mr. Erickson:

Enclosed herewith are two copies of "Completion of Proceedings on Alley
Vacation in the City of Edina" for the alley between Zenith and York
Avenues and between W. 56th and W. 57th Streets.

Will you please see that this document is filed?

Yours very truly,

City Clerk

cc: Mr. W. A. Parlow - N. W. Bell Telephone Company
Mr. William Schramm - Minnesota Gas Company
Mr. Ray Steffens - Northern States Power Company
Mr. Robert A. Sinclair - Northern States Power Company
Mr. Adam Batko - City of Edina

4227835

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF COMPLETION OF PROCEEDINGS
ON ALLEY VACATION IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA
(pursuant to Minn. Stat. Sec. 412851)

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on June 21, 1976, adopted a Resolution Vacating Alley, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said alley vacation be made, which resolution ordered the vacation of the following described alley, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

Alley between Zenith and York Avenues and between
W. 56th and W. 57th Streets (being the alley in Block 2, Harriet Lawn,
Lots 1 thru 12, and Block 4, "Brookline Addition", Lots 1 thru 4)

The time of completion of proceedings and the effective date of said vacation is July 19, 1976.

Said vacation did not affect, and there was continued, reserved and retained by the said resolution ordering the vacation, the authority of the Northern States Power Company and Northwestern Bell Telephone Company to enter upon the above vacated area to maintain, repair, replace, remove, or otherwise attend to, all of the poles, pipes, mains and lines for electrical and telephone services now in, on or under the above vacated area;

DATED this 30th day of July, 1976.

BY ORDER OF THE CITY COUNCIL
CITY OF EDINA

Florence B. Hallberg
Florence B. Hallberg
City Clerk



TRANSFER ENTERED

AUG 20 1976

FINANCE DIVISION

HENNEPIN COUNTY, MINN.

BY *[Signature]* DEPUTY

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF COMPLETION OF PROCEEDINGS
ON ALLEY VACATION IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

(pursuant to Minn. Stat. Sec. 412.851)

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Alley between Zenith and York Avenues and between
W. 56th and W. 57th Streets (being the alley in Block 2, Harriet
Lawn, Lots 1 thru 12, and Block 4, "Brookline Addition", Lots 1 thru 4)
The time of completion of proceedings and the effective date of said vacation
is July 19, 1976.

Said vacation did not affect, and there was continued, reserved and retained by the said resolution ordering the vacation, the authority of the Northern States Power Company and Northwestern Bell Telephone Company to enter upon the above vacated area to maintain, repair, replace, remove, or otherwise attend to, all of the poles, pipes, mains and lines for electrical and telephone services now in, on or under the above vacated area;

DATED this 30th day of July, 1976.

BY ORDER OF THE CITY COUNCIL
CITY OF EDINA

Florence B. Hallberg
Florence B. Hallberg
City Clerk

TRANSFER ENTERED

AUG 20 1976

FINANCE DIVISION
HENNEPIN COUNTY, MINN.

BY [Signature] DEPUTY

4227835

OFFICE OF COUNTY RECORDER
HENNEPIN COUNTY, MINNESOTA
CERTIFIED FILED AND OR
RECORDED ON

1976 AUG 20 AM 10: 53

AS DOCUMENT #

CO. RECORDER
BY McW DEPUTY

Duplicate
Filing
Certificate
25 Cents

Re:
Circuit
3-1-78

1/1/74

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF EDINA)

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date July 2, 19 76, acting on behalf of said City I deposited in the United States mail copies of the attached

Mailing List/Notice of Public Hg-Alley Vacation
(Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date 1st days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

WITNESS my hand and the seal of said City this 2nd
day of July, 19 76.

Marilee B. Hecker
Edina City Clerk

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON ALLEY VACATION IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on Monday, July 19, 1976 at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following alley:

Between Zenith and York Avenues and between W. 56th and W. 57th
Streets

All persons who desire to be heard with respect to the question of whether or not the above proposed alley vacation is in the public interest and should be made shall be heard at such time and place. The Council shall consider the extent to which such proposed alley vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such alley or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

Dated this 2nd day of July, 1976.

Mailing List - Notice of Public Hrg.

Alley Vacation - Between Genet & York
& 56th & 57th St.

Harriet Lamm

- Bl 2 L 1, Gary E. Greig - 5600 York Ave to
Ken W. Johnson 5600 "
2, D. E. Schultze - 5604 "
3, H. O. Schomer - 5608 "
4, Mary Mc Portland 5612 "
5, Kenneth R. Kerns 5616 "
6, Oliver Tolleson - 5620 "
7, Pete Sander - 5621 Genet Ave. to
8, J. D. Wall - 5617 "
9, Donald Haglund 5613 "
10, Mary A. Nagy 5609 "
Annette Nagy 5609 "
11, Ernest E. Wepplo 5605 "
12, H. W. Freege 3217 W. 56th St

Coner

Brookline Addr.

Bl 4 L 1 Thomas Langenfield 5624 York Ave.

2. Mae A. Burnett 5628 "

Mrs. Mae White 5628 "

3 Carl D. Schultz 5629 Youth -

4 Gene A. Anderson 5625 " -

N. S. P. { 19 Robt. A. Sinclair
N.S.P. Customer Service Center
1518 Chestnut St. Mpls 55403
27 Mr. Ray Steffens
N.S.P. Normandale Division
5309 W. 70th St - Edina 55435

Minnesota Gas Co. Mr. Wm. Schyann
Minnesota Gas Co
739 Marquette 55402

N.W. Bell Telephone Co.

W.A. Parlow

N.W. Bell Telephone Co.

5532 C. Rd. 18 So. - Hopkins 55343

(Official Publication)

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON ALLEY VACATION IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on Monday, July 19, 1976 at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following alley:

Between Zenith and York Avenues and between W. 56th and W. 57th
Streets

All persons who desire to be heard with respect to the question of whether or not the above proposed alley vacation is in the public interest and should be made shall be heard at such time and place. The Council shall consider the extent to which such proposed alley vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such alley or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

Please publish in the Edina Sun on July 7, 1976.
Please send us two Affidavits of Publication.

Petition to Vacate Alleyway

between
between

Zenith & York
56th & 57th St.

Annette

Nagy

Mayor Van -

Gary talked to Mrs. Nagy & said he
would see if this could be
added under "communications" —

PETITION TO VACATE ~~STREET~~ ALLEYWAY

TO THE HONORABLE COUNCIL OF THE CITY OF EDINA

DATED 6-21-76

The undersigned represent that they are the majority of owners of real property abutting on the line of ZENITH (56th - 57th) YORK street from 56th to 57th, and petition that said portion of said ~~street~~ be vacated. The facts and reasons for this application are as follows: allegedly

In consideration of vacating the street as herein petitioned the undersigned hereby jointly and severally waive any and all claims for any damages resulting from the vacating and discontinuing of said street.

Harriet Lawn

SIGNATURE OF OWNERS	ADDRESS	DESCRIPTION OF PROPERTY
<u>Arne Wahl</u>	<u>5617-Zenith So</u>	<u>BLK 2 LOT 8</u>
<u>Ernest E Wengler</u>	<u>5605 Zenith So</u>	<u>BLK 2 LOT 11</u>
<u>Harold W. Freese</u>	<u>3217-W. 56th St</u>	<u>BLK 2 LOT 12</u>
<u>Hans O. Schomer</u>	<u>5608 York Ave. So</u>	<u>BLK 2 LOT 3</u>
<u>Mrs Mary McFarland</u>	<u>5612-York Ave. So</u>	<u>BLK 2 LOT 4</u>
<u>Kenneth R. Fenn</u>	<u>5616 York Ave. So.</u>	<u>BLK 2 LOT 5</u>
<u>Mrs Mae White</u>	<u>5628 York Ave. So</u>	<u>BLK 4 LOT 2</u>
<u>Earle Shultz</u>	<u>5629 Zenith Ave. So</u>	<u>BLK 4 LOT 3</u>
<u>Pete Sandin</u>	<u>5621 Zenith</u>	<u>BLK 2 LOT 7</u>
<u>Barb Eriq</u>	<u>5600 York</u>	<u>BLK 2 LOT 1</u>
<u>Harold Schmitt</u>	<u>5609 York</u>	<u>BLK 2 LOT 2</u>
<u>O. G. Lott</u>	<u>5620 York</u>	<u>BLK 2 LOT 1</u>
<u>Thomas E. Lutz</u>	<u>5624 York Ave. S.</u>	<u>BLK 2 LOT 6</u>
<u>Annette Nagy</u>	<u>5609 Zenith Ave. So.</u>	<u>BLK 2 LOT 10</u>
<u>Arlyce Haglund</u>	<u>5613 Zenith Ave. So</u>	<u>BLK 2 LOT 9</u>
<u>Carol Neal-Anderson</u>	<u>5625 Zenith Ave S</u>	<u>BLK 4 LOT 4</u>

This petition was circulated by

Arne Nagy

920-1716

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

AFFIDAVIT OF POSTING NOTICE OF HEARING
ON ALLEY VACATION

Alley between Zenith and York Avenues and between W. 56th and
W. 57th Streets

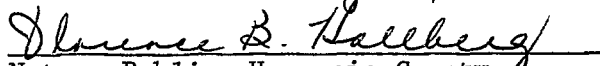
The undersigned, being first duly sworn, upon oath deposes and says that he is a duly appointed and acting Police Patrolman for the City of Edina, Hennepin County, Minnesota, and that on July 2, 1976, he posted the Notice of Hearing on alley vacation above described to be held on July 19, 1976, a true and correct copy of which is hereto attached, at each of the following official City Bulletin Boards located at conspicuous places within the City in a manner likely to attract attention:

One at Edina City Hall, 4801 W. 50th Street
One at 50th and France Business Area - 3922 W. 50th Street
One at Amundson Avenue Shopping Center - Northwest corner
of Parking Lot


Police Patrolman

Dated 070276

Subscribed and sworn to before me
this 2 day of July, 1976


Notary Public, Hennepin County,
Minnesota

My commission expires:

(Notarial Seal)

CITY OF EDINA
4801 W. 50TH STREET
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HENNEPIN COUNTY, MINNESOTA

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Streets

All persons who desire to be heard with respect to the question of whether or not the above proposed alley vacation is in the public interest and should be made shall be heard at such time and place. The Council shall consider the extent to which such proposed alley vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such alley or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk



SUN NEWSPAPERS
AFFIDAVIT OF PUBLICATION
EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }
County of Hennepin } ss.

J. R. RITCHAY, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper is made available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making the applicable payment. (8) Said newspaper has complied with all foregoing conditions for at least one year preceding the day or dates of publication mentioned below. (9) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

He further states on oath that the printed Notice of Public Hearing
hereto attached as a part hereof was cut from the columns of said newspaper, and was printed

and published therein in the English language, once each week, for one successive weeks;

that it was first so published on Wed the 7 day of July, 19 76

and was thereafter printed and published on every _____ to and including

_____ the _____ day of _____, 19____ and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

J. R. Ritchay

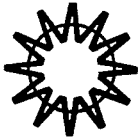
Subscribed and sworn to before me this 7 day of July, 19 76

Muriel L. Quist
MURIEL L. QUIST
NOTARY PUBLIC - MINNESOTA
HENNEPIN COUNTY
My Comm. Expires July 28, 1978

(Official Publication)
CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING
ON ALLEY VACATION IN THE
CITY OF EDINA
HENNEPIN COUNTY,
MINNESOTA
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Avenues and between W. 50th
and W. 57th Streets
All persons who desire to be heard
with respect to the question of

whether or not the above proposed
alley vacation is in the public interest
and should be made shall be heard at
such time and place. The Council
shall consider the extent to which
such proposed alley vacation affects
existing easements within the area of
the proposed vacation and the extent
to which the vacation affects the au-
thority of any person, corporation, or
municipality owning or controlling
electric, telephone poles and lines,
gas or sewer lines, or water pipes,
main, or structures on or under the
area of the proposed vacation, to con-
tinue exercising the same or to
enter upon such alley or portion
thereof to maintain, repair,
replace, or otherwise attend
thereto. The City Council, in specifying,
in any such resolution, the
extent to which any or all of any such
easements, that such authority to
maintain, and to enter upon the area
of the proposed vacation, shall con-
tinue.

BY ORDER OF THE EDINA CITY
COUNCIL.
FLORENCE B. HALLBERG,
City Clerk
(July 7, 1976)—ED



SUN NEWSPAPERS
AFFIDAVIT OF PUBLICATION
EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }
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Notice of Public Hearing

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and published therein in the English language, once each week, for one successive weeks;

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and was thereafter printed and published on every _____ to and including

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abcdefghijklmnopqrstuvwxyz

J. R. Ritchay

Subscribed and sworn to before me this 7 day of July, 19 76

Muriel L. Quist

MURIEL L. QUIST
NOTARY PUBLIC - MINNESOTA
HENNEPIN COUNTY
My Comm. Expires July 28, 1978

(Official Publication)
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BY ORDER OF THE EDINA CITY COUNCIL.
FLORENCE B. HALLBERG,
City Clerk
(July 7, 1976)—ED

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

NORTHWESTERN BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

N.S.P. by Frank H. Hessel ☒ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS We do have a line through the Area.

LOCATION 56/57th St. & York / Zenith Ave S

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

[Ray Steffens]

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

MINNEGASCO by Wm. J. Wilson 7-7-76 ☒ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

NORTHWESTERN BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

N.S.P. by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

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PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

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Florence B. Hallberg
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Florence B. Hallberg
City Clerk

Dated this 2nd day of July, 1976.